

Senate Bill No. 50

CHAPTER 158

An act to amend Section 84200.5 of, and to add Sections 84200.3 and 84200.4 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 22, 1999. Filed with
Secretary of State July 23, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 50, Johnson. Political Reform Act of 1974: campaign statements.

Under the existing Political Reform Act of 1974, specified elected officers, candidates, and committees are required to file campaign statements that cover campaign activity occurring during certain time periods of an election campaign.

This bill would require candidates for elective office being voted upon at a statewide direct primary election held in March of an even-numbered year and any other election held on the same day as that election, their controlled committees, certain general purpose committees primarily formed to support or oppose those candidates, and certain slate mailer organizations to file certain campaign statements on specified dates. The bill also would establish dates for filing primary election campaign statements for the March election period.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these criminal penalties on persons who violate the provisions of the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 84200.3 is added to the Government Code, to read:

84200.3. (a) In connection with a statewide direct primary held in March of an even-numbered year, and any other election held on the same day as that election, the following candidates and committees shall file campaign statements pursuant to Section 84200.4 for the calendar year prior to the election:

(1) All candidates who have filed or are required to file a statement of intention pursuant to Section 85200 in connection with the election, their controlled committees, and committees primarily formed to support or oppose those candidates.

(2) Committees formed pursuant to subdivision (a) of Section 82013 that are primarily formed to support the qualification, passage, or defeat of a measure being voted upon in the election.

(3) State and county general purpose committees formed pursuant to subdivision (a) of Section 82013, except that a committee covered by this subdivision is not required to file pursuant to subdivision (a) of Section 84200.4 if it has not made contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period July 1 through September 30.

(4) City general purpose committees formed pursuant to Section 82013, except that a committee covered by this subdivision is not required to file pursuant to subdivision (a) of Section 84200.4 if it has made contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period July 1 through September 30.

(5) Candidates and committees not covered under paragraphs (1) to (4), inclusive, that make contributions totaling five thousand dollars (\$5,000) or more to an elected state officer, a candidate for elective state office, his or her controlled committee, or a committee primarily formed to support or oppose any elected state officer or candidate for elective state office during the period July 1, through September 30 or July 1 through December 31.

(6) Any slate mailer organization that produces a slate mailer supporting or opposing a candidate or measure being voted on in the election if the slate mailer organization receives payments totaling five hundred dollars (\$500) or more from any person for the support of or opposition to a candidate or ballot measure in one or more slate mailers, or expends five hundred dollars (\$500) or more to produce one or more slate mailers.

(b) A candidate, committee, or slate mailer organization required to file a campaign statement pursuant to this section is not required

to file a campaign statement pursuant to Section 84200 or 84218 for the period ending December 31 of the year prior to the statewide direct primary election.

(c) A candidate or committee who has filed a campaign statement pursuant to this section is not required to file additional statements pursuant to Section 84202.3, 84202.5, or 84202.7.

SEC. 2. Section 84200.4 is added to the Government Code, to read:

84200.4. In addition to other reports required under this chapter, campaign statements shall be filed as follows in connection with a statewide direct primary election held in March of an even-numbered year or any other election held on that date:

(a) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10 for the period ending September 30.

(b) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10 of the year of the election.

SEC. 3. Section 84200.5 of the Government Code is amended to read:

84200.5. In addition to the campaign statements required by Section 84200, elected officers, candidates, and committees shall file preelection statements as follows:

(a) During an even-numbered year, all candidates for elective state office being voted upon on the first Tuesday after the first Monday in June or November, their controlled committees, and committees primarily formed to support or oppose an elected state officer or a state candidate being voted upon on the first Tuesday after the first Monday in June or November and all elected state officers who, during the reporting periods covered by Section 84200.7, contribute to any committee required to report receipts, expenditures, or contributions pursuant to this title, or make an independent expenditure, shall file the preelection statements specified in Section 84200.7. However, a candidate who is not being voted upon in the November election, his or her controlled committee, and any committee primarily formed to support or oppose that candidate is not required to file statements in connection with the November election pursuant to subdivision (b) of Section 84200.7, unless, during the reporting periods covered by Section 84200.7, the candidate, his or her controlled committee, or any committee primarily formed to support or oppose that candidate contributes to any committee required to report receipts, expenditures, or contributions pursuant to this title or makes independent expenditures.

(b) During an even-numbered year, all candidates not specified in subdivision (a) who are being voted upon on the first Tuesday after the first Monday in June or November, their controlled committees,



and committees primarily formed to support or oppose those candidates or a measure being voted upon on the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in subdivision (a) of Section 84200.7 in the case of a June election, or subdivision (b) of Section 84200.7 in the case of a November election.

(c) All candidates being voted upon on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year, their controlled committees, and committees primarily formed to support or oppose a candidate or a measure being voted upon on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in Section 84200.8.

(d) In an even-numbered year in which the statewide direct primary election is held on the first Tuesday after the first Monday in June, a state or county general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the statements specified in Section 84200.7 if it makes contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the preelection statement. A state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.7.

(e) During an even-numbered year in which the direct primary election is held on a date other than the first Tuesday after the first Monday in June, a state or county general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the statements specified in Section 84200.8 if it makes contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the preelection statement. A state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.8.

(f) City general purpose committees shall file statements as follows:

(1) City general purpose committees in a city which has an election on the first Tuesday after the first Monday in June or November of an even-numbered year shall file the statements specified in subdivision (a) or (b) of Section 84200.7 for the six-month period in which the city election is held, if they make contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the preelection statement.

(2) City general purpose committees in a city which has an election on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in Section 84200.8 if they make contributions or independent expenditures totaling five hundred



dollars (\$500) or more during the period covered by the preelection statement.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 5. The Legislature finds and declares that the provisions of this act further the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the campaign filing requirements enacted by this act become effective for candidates seeking election at the March 7, 2000, statewide direct primary election, it is necessary for this act to take effect immediately.

